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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,276	08/13/2001	Sukendeep Samra	020699-004500US	8200
37490	7590	06/18/2004	EXAMINER	
CARPENTER & KULAS, LLP 1900 EMBARCADERO ROAD SUITE 109 PALO ALTO, CA 94303			CHUNG, DANIEL J	
			ART UNIT	PAPER NUMBER
			2672	12

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/929,276

Applicant(s)

SAMRA, SUKENDEEP

Examiner

Daniel J Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6 and 8-18 is/are rejected.
- 7) ☒ Claim(s) 4 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-18 are presented for examination. This office action is in response to the RCE filed on 5-6-2004.

Applicant is respectfully required to indicate the supporting paragraph of the disclosure of the invention for newly submitted claim 13. ["the ratios of the values is proportional to the ratio of the positions"] The terms "ratio" and "proportional" are not found in specification or figure. No new matter should introduce into the disclosure.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-6 and 8-18 are rejected under 35 U.S.C. 102(e) as being anticipated by McKiel, Jr (6,046,722)

Regarding claim 1, McKiel, Jr discloses that the claimed feature of a method for varying an attribute of a frame in a media presentation, wherein the attribute is derived from a parameter having a value, the method using a processing system including a

user input device and media presentation device, the method comprising: accepting signals [i.e. "audible signals"] from a user input device [16,20] to select a first frame [i.e. "graphic element icon"; 42] having a parameter with a first value [i.e. 500 Hertz]; accepting signals from a user input device to select a second frame [i.e. 44] having the parameter with a second value [i.e. 1000 Hertz]; accepting signals from a user input device to generate a new value ["a composite audible signal"] by interpolating between the first and second values [combined tone value of 500 Hz and 1000 Hz]; and presenting, on the media presentation device, a new media presentation using the new value of the parameter ["a compose audible signal in response to the position of the cursor element"]. (See Abstract line 4-20; Fig 3-5, col 3 line 36-52, col 5 line 62-col 6 line 36)

Regarding claim 2, McKiel, Jr discloses that media presentation device includes displaying images ["Icons"; 42-48]. (See Fig 3)

Regarding claim 3, McKiel, Jr discloses that the first and second media presentations include first and second images [42, 44], respectively, wherein the media presentation device [10] includes a display screen [14,22], the method further comprising displaying the first and second frames [42-48] at different positions on the display screen [22,28]; accepting signals from a user input device to select a position on the display screen; determining the new value ["a composite audible signal"] by using the distances [i.e. 66] between the selected position [40] and the positions of the first

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and second images [42,44]. (See Abstract line 4-20, Fig 3-5, col 3 line 36-52, col 5 line 62-col 6 line 36)

Regarding claim 5, McKiel, Jr discloses that the media presentation device includes audio waveforms playback. [62,64] (See Fig 2)

Regarding claim 6, claim 6 is similar in scope to the claim 3, and thus the rejection to claim 3 hereinabove is also applicable to claim 6.

Regarding claims 8-10, McKiel, Jr discloses that the media presentation device includes display of non-linear animation, which includes a rendered view of a computer model and facial animation [i.e. "Icon", "graphic element"]. (See Fig 3-5)

Regarding claim 11, McKiel, Jr discloses that inputs from multiple user input devices [i.e. 20, 16] are used to generate a collaborative new value for the parameter. (See Fig 1, Fig 2)

Regarding claim 12, McKiel, Jr discloses that two or more user input devices [16, 20] are in separate locations. (See Fig 2)

Regarding claim 13, McKiel, Jr discloses that the claimed feature of a method for modifying images in an image processing system, the method comprising displaying the

first and second images [i.e. 42-48] at different positions on a display device [22,28], wherein the first image [i.e. 42] includes a first parameter set [i.e. 500 Hz] and wherein the second image [i.e. 44] includes a second parameter set [i.e. 100 Hz]; accepting input from a user input device [20] to indicate a position [40] relative to one or more of the first and second positions [42, 44]; using the indicated position [40] create an interpolated parameter set ["the composite audible signal"], wherein at least one parameter in the interpolated parameter set has an interpolated value [i.e. newly generated audible signal] that is between a value in corresponding parameters in the first and second parameter sets [500 Hz, 1000 Hz], and wherein the ratios of the values is proportional to the ratios of the positions; displaying a modified image [70] on the display device based on the first parameter set, the second parameter set and the indicated position. (See Abstract line 4-20, Fig 3-5, col 3 line 36-52, col 5 line 62-col 6 line 36)

Regarding claim 14, McKiel, Jr discloses that displaying a list of parameters to be modified; accepting signals from a user input device to select one or more parameters; and generating a modified image by changing only the selected one or more parameters. (See Abstract line 4-20, Fig 3-5, col 3 line 36-52, col 5 line 62-col 6 line 36)

Regarding claim 15, McKiel, Jr discloses that at least one parameter [i.e. radius 66 from pointer 40] is associated with modification of visual content of an image [70]. (See Fig 4, Fig 5)

Regarding claims 16-18, claims 16-18 are similar in scope to the claim 1, and thus the rejection to claim 1 hereinabove is also applicable to claims 16-18.

Response to Arguments/Amendments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed to Method for varying an attribute of a media presentation. The above identified claims includes the uniquely distinct features "displaying the first image at a first corner of a predefined area of the display screen; displaying the second image at a second corner of a predefined area of the display screen; and displaying the new media presentation at the center of the display, wherein the new media presentation includes a new image displayed by using the new value."

The closest prior art, McKiel, Jr (US 6,046,722) discloses a similar system, either

singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (Central fax)
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

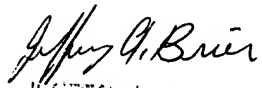
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
June 7, 2004


JEFFERY BRIER
PRIMARY EXAMINER